

Notice of Allowability

Application No. 09/342,280	Applicant(s) HEIMAN ET AL.2	
Examiner Jeanne-Marguerite Goodwin	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. This communication is responsive to telephone interviews on Dec. 22, '03 & Jan. 9, '04.
- 2. The allowed claim(s) is/are 30,35,36,38 and 39.
- 3. The drawings filed on _____ are accepted by the Examiner.
- 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

- 5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) The translation of the foreign language provisional application has been received.
- 6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- 7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- 8. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed 16 March 2001, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

- 9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 Notice of References Cited (PTO-892)
- 2 Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____
- 4 Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5 Notice of Informal Patent Application (PTO-152)
- 6 Interview Summary (PTO-413), Paper No. _____.
- 7 Examiner's Amendment/Comment
- 8 Examiner's Statement of Reasons for Allowance
- 9 Other



DAVID MARTIN
SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2800

EXAMINER'S AMENDMENT

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on January 9, 2004, Mr. Glabicki requested an extension of time for 2 MONTH(S) and authorized the Director to charge the required fee of \$210.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

a. Claims 31-34 and 37 have been canceled per attorney's request.

b. Claim 30 has been amended as follows:

1. lines 2-3: "and in response to initiation by one or more players" has been deleted after "game" for claim clarity;

2. line 4: "and a set of predetermined times" has been deleted after "files" for claim clarity;

3. line 5: --first-- has been added after "providing a"; also, --and a second timer-- has been added after "time"; and "and" after "timer;" has been deleted for claim clarity;

4. line 6: "said" has been deleted before "players"; and --of said game-- has been added after "players" for claim clarity;

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5. line 6: --first and second timers-- has been added after “said”; and “timer” has been deleted before “by” for claim clarity;

6. line 10: --first and second timers-- has been added after “said”; and “timer” has been deleted before “when” for claim clarity;

7. insert after line 10: --(2) associates a first plurality of audio files with specified times on said first timer and a second plurality of audio files with specified times on said second timer;-- has been inserted for claim clarity;

8. line 11: “(2)” has been replaced with --(3)--; “predetermined times” has been replaced by --specified times on said first and second timers--; “and” has been deleted for claim clarity;

9. insert before line 12: --(4) not selecting one of said audio files associated with one of said first and second timers if it conflicts with a time of another of said first and second timers; and-- has been inserted for claim clarity;

10. line 12: “(3)” has been replaced by --(5)--; --selected-- has been added before “audio” for claim clarity.

c. Claim 35 has been amended has follows:

1. line 1: “a player” has been replaced by --a plurality of players-- for claim clarity;

2. line 4: “a switch, on the person of said player in said sports game, that” has been replaced by --a plurality of switches, at least one switch is on one of said players of each team in said sports game, each-- for claim clarity;

3. line 7: "a transmitter, on the person of said player in said sports game," has been replaced by --a plurality of transmitters, at least one transmitter is on one of said players of each team in said sports game-- for claim clarity;

4. line 11: "player" has been replaced by --players-- for claim clarity;

5. line 12: --first-- has been added before "timer"; and --and a second timer for tracking specified duration events-- has been added after "resumed" for claim clarity;

6. line 13: "timer" has been replaced by --first and second timers--; "said receiver" has been replaced by --any of said transmitters based on a type of said electrical signal an action occurring including stopping said first and said second timers, starting said second timer and allowing said first timer to run and starting said first and said second timers-- for claim clarity;

7. line 18: --and-- has been added after "," for claim clarity;

8. line 20: --and-- has been added before "whereby"; and "player" has been replaced by --players-- for claim clarity.

d. Claim 36, line 4: --first-- has been added before "timer" for claim clarity; and

e. Claim 39, line 2: --first-- has been added before "timer" for claim clarity.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne-Marguerite Goodwin whose telephone number is (703) 305-0264. The examiner can normally be reached on alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (703) 308-3121. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

jmg
01/15/04

DAVID MARTIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800